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Modifications to Requirements for Wood and Forestry Product Trade

Report Categories:

Wood Products

FAIRS Subject Report

Solid Wood Products

Sanitary/Phytosanitary/Food Safety

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Report Highlights:

The Secretariat of Environment and Natural Resources (SEMARNAT) published in the *Diario Oficial* (Federal Register), on August 27, 2010, modifications to the existing set of classifications and codifications of imported and exported goods, including wood and forest products that are subject to regulation by SEMARNAT. This Agreement modifies the one published on June 30, 2007. The impact of this Agreement on trade is under evaluation.

General Information:

Introduction: This report summarizes a SEMARNAT announcement published in Mexico's *Diario Oficial* on August 27, 2010. This announcement modifies the existing set of classifications and codifications of imported and exported wood and forest products subject to regulation by SEMARNAT.

Disclaimer: This summary is based on a cursory review of the subject announcement and therefore should not, under any circumstances, be viewed as a definitive reading of the regulation in question, or of its implications for U.S. agricultural export trade interests. In the event of a discrepancy or discrepancies between this summary and the complete regulation or announcement as published in Spanish, the latter shall prevail.

Title: Agreement Modifying the Existing Set of Classifications and Codifications of Import and Export Goods Regulated by the Secretariat of the Environment and Natural Resources.

Summary: On August 27, 2010, SEMARNAT published in the *Diario Oficial* an Agreement modifying the existing set of classifications and codifications of imported and exported goods that are subject to regulation by SEMARNAT. This includes several wood and forest products. This Agreement modifies the one published previously on June 30, 2007.

The updated list complies with the provisions of Mexico's Wild Life Act so as to maintain consistency with the list of threatened species described in the provisions of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES). In addition, the updated list complies with those that are listed in the Mexican regulation NOM-059-SEMARNAT-2001, *Environmental Protection –Native Species from Mexico of Flora and Wild Fauna – Risk Categories and Specifications to include, exclude or change –List of Endangered Species*

The August 27 publication indicates that imports of wood and forest products and by-products listed in the Agreement require a Phytosanitary Certificate and that the forestry products and by-products exempt from requiring a Certificate, at a minimum, given the potential risks that might be present, must be submitted to visual inspection by personnel from the office of the Federal Attorney for Environmental Protection.

The following is a synopsis of the modifications relevant to forestry and wood products.

BEGIN

AGREEMENT THAT MODIFIES AND ESTABLISHES THE CLASSIFICATION AND CODING OF IMPORT AND EXPORT GOODS SUBJECT TO REGULATION BY THE SECRETARIAT OF ENVIRONMENT AND NATURAL RESOURCES

Part One. This Agreement amends Articles 1, 2, 5, 6, the second paragraph of Article 8, and certain individual items and/or tariff items listed in Article 10 that was published in the *Diario Oficial* (Federal Register) on June 30, 2007. New language reads as follows:

Article 1. (Note: Material not translated as it does not pertain to wood and forestry products).

Article 2. Establishes the classification and coding of wild life species specimens, as defined by the General Law of Wild Life, where the introduction into or exit from the national territory is subject to the requirements of either a Permit or a Certificate of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) because the items are of species listed in the CITES Appendices or because an authorization to import or export was issued by the General Directorate of Wild Life, and that are for inspection by the terms indicated in Articles 8 and 9 of this Agreement and that are destined to final custom regimes, temporary or fiscal warehouse, and that are listed as individual tariff numbers of the Tariff Law of the General Import and Export Taxes.

...

Article 5. Establishes the classification and coding of forest products and by-products that, when imported into the national territory, are subject to the requirement of a Phytosanitary Certificate issued by the General Directorate of Forest and Soil Management or the Federal Offices of SEMARNAT in all Mexican States, and/or subject to inspection under the terms stated in Articles 8 and 9 of this Agreement and that are included in the harmonized tariff schedule (HTS) numbers of the Tariff Law of the General Import and Export Taxes listed below:

HTS	DESCRIPTION
4403.10.01	Treated with paint, creosote or other agents of preservation
...	
4406.90.99	Other NOTE: New, only require visual inspection.
4407.10.01	Pine or Spruce or Fir (fir) into boards, planks or beams. NOTE: Also known as the pine <i>Pinus teocote</i> , <i>Pinus montezumae</i> , <i>Pinus leiophylla</i> , <i>Pinus oocarpa</i> , <i>Pinus pseudostrobus</i> ; as the fir <i>Abies guatemalensis</i> and <i>Abies durangensis</i> , and as fir <i>Abies religiosa</i> , <i>Abies hickelii</i> , <i>Abies vejarii</i> and <i>Abies mexicana</i> .
...	
4408.10.01	Coniferous except as included in the HTS line 4405.10.02 NOTE: Only Used
...	
4412.10.01.	Bamboo NOTE: New, only require visual inspection.
4412.31.01	Have at least one outer ply of tropical wood from the following: <i>Dark Red Meranti</i> , <i>Light Red Meranti</i> , <i>White Lauan</i> , <i>Sipo</i> , <i>Limba</i> , <i>Okume</i> , <i>Obeche</i> , <i>Acajou d'Afrique</i> , <i>Sapelli</i> , <i>Mahogany</i> , <i>Palisandre de Para</i> , <i>Palisandre del Rio</i> and <i>Palisandre de Rose</i> . NOTE: New, only require visual inspection.
4412.31.99	Other NOTE: New products only require visual inspection.
4412.32.01	Containing at least one outer ply of wood different from coniferous NOTE: New products only require visual inspection.
4412.32.99	Other NOTE: New products only require visual inspection.

4412.39.01	Coniferous called "plywood." NOTE: New products only require visual inspection.
4412.39.99	Other NOTE: New products only require visual inspection.
4412.94.01	Have at least one ply of tropical wood specified in Subheading Note 1 to this Chapter. NOTE: New products only require visual inspection.
4412.94.02	Containing at least a board of particles. NOTE: New products only require visual inspection.
4412.94.99	Other NOTE: New products only require visual inspection.
4412.99.01	Have at least one ply of tropical wood specified in Subheading Note 1 to this Chapter. NOTE: New products only require visual inspection.
4412.99.02	Containing at least a board of particles. NOTE: New products only require visual inspection.
4412.99.99	Other NOTE: New products only require visual inspection.
...	
4418.10.01	Windows, doors, windows and their frames. NOTE: Only used, worn, or antique looking products.
4418.20.01	Doors and their frames and thresholds. NOTE: Products used or apparently used or older require a Phytosanitary Certificate and visual inspection. NOTE: New products only require visual inspection.
... ..	
4421.90.99	Other NOTE: Products used or apparently used or old, or new without lacquer, varnish, paint, oil or other finish coating require a Phytosanitary Certificate and visual inspection. NOTE: New products lacquered, varnished, painted, oiled or other finish coat only require visual inspection.

Article 8. ... For the purposes of Article 5 of this Agreement, the term forestry is understood as specimens of the flora and their parts, which grow and develop in a natural way (wild) forming forests, jungles, arid and semiarid and other ecosystems, and even when they are grown are used for reforestation, forestation, commercial plantations and for ornamental purposes.

Article 10. *(Note: Material not translated as it does not pertain to wood and forestry products).*

Part Two. The following tariff numbers are deleted from Article 2 of the Agreement as stated in the First Item of this ordinance, from the Tariff Law of the General Import and Export Taxes

....
4403.49.02
4407.21.02
4407.29.03
4409.29.02
....

Part Three. Articles 3 and 4 of the Agreement stated in the First Item of this ordinance are cancelled, to read as follows:

Article 3. Canceled.

Article 4. Canceled.

Part Four. Additional goods are added to articles 1, 2, 5 and 6 of the Agreement as stated in the First Item of this Agreement, that are identified according to their tariff classification and description in the Tariff Law of General Import and Export Taxes, to read as follows:

Article 1. *(Note: Material not translated as it does not pertain to wood and forestry products).*

Article 2. *(Note: Material not translated as it does not pertain to wood and forestry products).*

Article 5.

HTS	DESCRIPTION
...	
4403.49.02	Of <i>Swietenia macrophylla</i> , <i>Cedrella odorata</i> , or <i>Cedrella mexicana</i> square. Except: In <i>Cedrella mexicana</i>
...	
4407.21.02	In <i>Swietenia macrophylla</i> sawn in leafs or peeled.
...	
4407.29.03	Of <i>Cedrella odorata</i> or <i>Cedrella mexicana</i> , sawn, in leafs or peeled. Except: In <i>Cedrella mexicana</i> .
...	
4409.29.02	Of <i>Swietenia macrophylla</i> , <i>Cedrella odorata</i> or <i>Cedrella mexicana</i> , brushed except as included in the fraction 4409.29.01. Only: Of <i>Swietenia macrophylla</i> or <i>Cedrella odorata</i> , when they have not been subjected to a kiln dried process, conservation treatment, or treated with paint or chemicals.
...	
4418.60.01	Posts and Beams NOTE: Used or new products without lacquer, varnish, paint or oil or other finishing coating, and rustic looking, require a Phytosanitary Certificate and visual inspection. NOTE: New products lacquered, varnished, painted, oiled or with other finishing coating only require visual inspection.

END

The National Association of Importers and Exporters of Forestry Products in Mexico is conducting research to understand how these new requirements will impact trade.

Important Dates

1. Publication Date: August 27, 2010.

2. Effective Date: September 10, 2010

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Internet Connections:

FAS Mexico Web Site: We are available at www.mexico-usda.com or visit FAS Washington's home page at <http://www.fas.usda.gov> for a complete selection of FAS worldwide agricultural reporting.

Useful Mexican Web Sites:

Mexico's equivalent of the Department of Agriculture (SAGARPA) can be found at www.sagarpa.gob.mx and Mexico's equivalent of the Department of Commerce (SE) can be found at www.se.gob.mx.